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MEMO ENDORSED

June 5, 2008
Hon. Colleen Mc Mahon, U.S.D.J.

Fax 212 805-6326

Re: Calderon v USA
08 Civ. 922 (CM) (AJP)

Dear Judge McMahon:

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: 6/11/08

I am the attorney for the plaintiff. I am writing this as a joint application with the attorney for the defendant for an adjournment of the deposition of the plaintiff from June 13, 2008 to July 22, 2008. No previous application for such adjournment has been made.

This action was commenced on January 28, 2008 arising out of allegations that plaintiff, a 59 year old seaman working aboard the defendant's vessel sustained injury to his hip when he slipped due to a slippery deck striking his hip against a deck structure. Plaintiff underwent surgery for a hip replacement on March 30, 2007 and continues under medical care.

For rehabilitation purposes, plaintiff, a US Citizen, went to Honduras, the country of his birth, in November 2007 and returned on May 2, 2008. This resulted in insufficient time to accumulate and obtain copies of plaintiff's tax returns, social security disability records, complete medical records and other records needed by me and defendant's attorney in preparation for a comprehensive and full deposition of plaintiff scheduled by your Honor for June 13, 2008. (Obtaining just a copy of hospital records today is fraught with difficulty and inordinate delay).

It is respectfully requested that the court grant an adjournment of the deposition of the plaintiff from June 13, 2008 to July 22, 2008.

Very respectfully,

Donald D. Oltman

CC: Michael E. Unger Fax No. 212 425-1901
Attorney for Defendant, USA

6/9/2008
You should have obtained these materials and
authorizations before your client left - before you
filed suit. I will grant this one adjournment
but no more. Next time you bring suit be
prepared from the beginning Colleen McMahon
USDS